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06 OCT 2006

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In re Application of:	:	
MIETTINEN, Erkki	:	DECISION
U.S. Application No.: 10/069,134	:	
PCT No.: PCT/FI00/00806	:	
International Filing Date: 21 September 2000	:	
Priority Date: 22 September 1999	:	
Atty Docket No.: 66411-065-2	:	
For: VOLTAGE BALANCING IN	:	
INTERMEDIATE CIRCUIT	:	
CAPACITORS	:	

This decision is issued in response to the "Letter" filed 31 July 2003, treated herein as a petition under 37 CFR 1.181 to correct the 35 U.S.C. 371(c) date for the present national stage application. No petition fee is required.

BACKGROUND

On 21 September 2000, applicants filed international application PCT/FI00/00806. The international application claimed a priority date of 22 September 1999 and it designated the United States. On 29 March 2001, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO).

A Demand for preliminary examination electing the United States was filed on 19 April 2001, prior to the expiration of nineteen months from the priority date. Accordingly, the deadline for submitting the U.S. basic national fee was extended to 22 March 2002, i.e., thirty months from the priority date.

On 22 February 2002, applicants filed a Transmittal Letter requesting entry into the U.S. national stage accompanied by, among other materials, payment of the basic national fee.

On 07 May 2002, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 was required.

On 31 May 2002, applicants filed a "Response To Notification Of Missing Requirements" stating that an executed declaration had previously been filed herein on 06 March 2002.

On 25 June 2002, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Acceptance" (Form PCT/DO/EO/903) identifying the "Date Of Receipt Of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements " and the "Date Of Receipt Of All U.S.C. 371 Requirements" as 06 May 2002. Also on 25 June 2002, a filing receipt was issued that identified the 35 U.S.C. 371(c) date as 06 May 2002.

On 31 July 2003, applicants filed the "Letter" treated herein as a petition under 37 CFR 1.181. The petition includes a copy of the previously filed declaration, as well as a copy of a return postcard itemizing the declaration and bearing a USPTO receipt stamp dated 06 March 2002.

DISCUSSION

Based on applicant's statements in the present petition and the return postcard that itemizes the declaration and bears a USPTO receipt stamp dated 06 March 2002, it is concluded that the executed declaration completing the requirements of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) was filed herein on 06 March 2002. The Notification Of Acceptance and filing receipt mailed 25 June 2002, both of which identified the 35 U.S.C. 371(c) date as 06 May 2002, are therefore appropriately vacated.

CONCLUSION

The petition under 37 CFR 1.181 to correct the 35 U.S.C. 371(c) date is **GRANTED**.

This application's date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 06 March 2002.

The Notification Of Acceptance and filing receipt mailed 03 October 2005, both of which identified the 35 U.S.C. 371(c) date as 06 May 2002, are hereby **VACATED**.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing, including the mailing of a corrected Notification Of Acceptance and filing receipt which correctly identify the date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) as 06 March 2002.



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